

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

FREDRICK ANDREW MORRIS,

Plaintiff,

v.

Case No. 21-CV-1393

DR. FARZANEH TONDKAR, *et al.*,

Defendants.

ORDER

On August 4, 2023, the court entered a decision and order granting summary judgment in favor of the defendants and dismissing *pro se* plaintiff Fredrick Andrew Morris's case. (ECF No. 159.) On September 7, 2023, Morris filed a motion to alter or amend the judgment. (ECF No. 166.) He argues that because he was "delusional during the hunger strike in this case" the court should grant summary judgment in his favor. (*Id.* at 1.)

While Morris does not cite a Federal Rule in support of his motion, it appears he is bringing his motion under Fed. R. Civ. P. (59)(e), which allows a party to file a motion to alter or amend a judgment within twenty-eight days of the court entering judgment. "Rule 59(e) allows a court to alter or amend a judgment only if the petitioner can demonstrate a manifest error of law or present newly discovered evidence." *Obrieht v. Raemisch*, 517 F.3d 489, 494 (7th Cir. 2008) (citing *Sigsworth v. City of Aurora*, 487 F.3d 506, 511-12, (7th Cir. 2007)).

Morris neither demonstrates a manifest error of law nor does he present newly discovered evidence. At most he takes issue with the way the court decided the motions for summary judgment. That is not a basis for granting his motion. *See Oto v. Metropolitan Life Ins. Co.*, 244 F.3d 601, 606 (7th Cir. 2000) (holding that a motion that “merely took umbrage with the court’s ruling and rehashed arguments” was properly rejected by the district court).

IT IS THEREFORE ORDERED that Morris’s motion to alter or amend the judgment (ECF No. 166) is **DENIED**.

Dated at Milwaukee, Wisconsin this 23rd day of October, 2023.

BY THE COURT

A handwritten signature in black ink that reads "William E. Duffin". The signature is written in a cursive style and is positioned above a horizontal line.

WILLIAM E. DUFFIN
United States Magistrate Judge